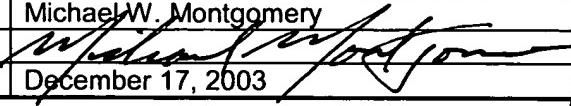
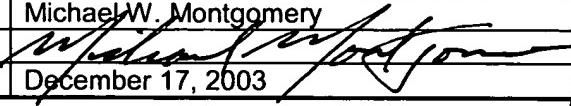
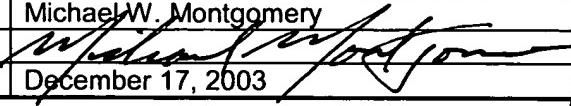


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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>		<i>Attorney Docket No.</i>	CRD5046									
		<i>First Inventor</i>	Donald K. Jones, et al.									
		<i>Title</i>	Activatable Bioactive Implantable Medical Device And Method Of Use									
(only for new nonprovisional applications under 37 CFR 1.53(b))		<i>Express Mail Label No.</i>	EL465909082US									
<b>APPLICATION ELEMENTS</b>  See MPEP Chapter 600 concerning utility patent application contents.		<b>ADDRESS TO:</b> Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450  10/7/2004 10:31088 US 84-717 (031088 US 84-717)										
<p>1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (submit an original and a duplicate for fee processing)</p> <p>2. <input type="checkbox"/> Applicant claims small entity status.</p> <p>3. <input checked="" type="checkbox"/> Specification [Total Pages 17] (Preferred arrangement set forth below)</p> <ul style="list-style-type: none"> <li>- Descriptive Title of the Invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R&amp;D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul> <p>4. <input checked="" type="checkbox"/> Drawing(s)(35 USC 113) [Total Sheets 5]</p> <p>5. Oath or Declaration [Total Pages 4]</p> <p>a. <input checked="" type="checkbox"/> Newly executed (original or copy)</p> <p>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)</p> <p>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</p> <p>6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76</p> <p>18. <input type="checkbox"/> If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:  <input type="checkbox"/> Continuation   <input type="checkbox"/> Divisional   <input type="checkbox"/> Continuation-in-Part (CIP) of prior application No.:  Prior application information: Examiner: Group Art Unit:  Examiner: Group Art Unit:  Examiner: Group Art Unit:</p> <p>For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.</p> <p>19. CORRESPONDENCE ADDRESS  <input checked="" type="checkbox"/> Customer Number or Bar Code Label 000027777 or <input type="checkbox"/> Correspondence Address below</p> <p>Name: Philip S. Johnson, Esq.  Address: Johnson &amp; Johnson  One Johnson &amp; Johnson Plaza  New Brunswick, NJ 08933-7003 USA</p> <p>20. TELEPHONE CONTACT  Please direct all telephone calls or telefaxes to Henry W. Collins at:  Telephone: (786) 313-2707   Fax: (786) 313-2747</p> <p>21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">NAME</td> <td>Michael W. Montgomery</td> <td style="width: 25%;">Reg. No. 35,958</td> </tr> <tr> <td>SIGNATURE</td> <td colspan="2"></td> </tr> <tr> <td>DATE</td> <td colspan="2">December 17, 2003</td> </tr> </table>		NAME	Michael W. Montgomery	Reg. No. 35,958	SIGNATURE			DATE	December 17, 2003		<p>7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)</p> <p>8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)</p> <p>a. <input type="checkbox"/> Computer Readable Form (CRF)</p> <p>b. <input type="checkbox"/> Specification Sequence Listing on: <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or</li> <li>ii. <input type="checkbox"/> paper</li> </ul> </p> <p>c. <input type="checkbox"/> Statement verifying identity of above copies</p> <p><b>ACCOMPANYING APPLICATION PARTS</b></p> <p>9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet &amp; document(s))</p> <p>10. <input type="checkbox"/> 37 CFR 3.73(b) Statement   <input type="checkbox"/> Power of Attorney (when there is an assignee)</p> <p>11. <input type="checkbox"/> English Translation Document (if applicable)</p> <p>12. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449   <input type="checkbox"/> Copies of IDS Citations</p> <p>13. <input type="checkbox"/> Preliminary Amendment</p> <p>14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)</p> <p>15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)</p> <p>16. <input type="checkbox"/> Request and Certifications under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.</p> <p>17. <input type="checkbox"/> Other</p>	
NAME	Michael W. Montgomery	Reg. No. 35,958										
SIGNATURE												
DATE	December 17, 2003											

**FEE TRANSMITTAL***Complete if Known*

Application Number	Unknown
Filing Date	December 17, 2003
First Named Inventor	Donald K. Jones, et al.
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket Number	CRD5046

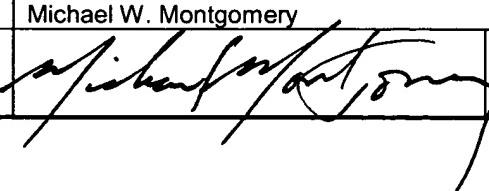
**FEE CALCULATION**

## CLAIMS AS FILED

(1)	(2)	(3)	(4)	(5)
FOR:	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770.00
TOTAL CLAIMS	18 - 20 =	0	x 18.00	\$ 0.00
INDEPENDENT CLAIMS	8 - 3 =	5	x 84.00	\$420.00
MULTIPLE DEPENDENT CLAIMS	<input type="checkbox"/>	N/A	\$280.00	
			TOTAL FEES	\$1,190.00

**METHOD OF PAYMENT**

- Please charge Deposit Account No. 10-0750/CRD5046/HWC in the amount of \$1,190.00.  
Three copies of this sheet are enclosed.
- The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750/CRD5046/HWC. Three copies of this sheet are enclosed.

<b>SUBMITTED BY:</b>		<i>Complete (if applicable)</i>
Typed or Printed Name	Michael W. Montgomery	Reg. No. 35,958
Signature		Date: December 17, 2003 <b>Deposit Account No. 10-0750</b>

DOCKET NO. CRD5046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Donald K. Jones  
Juan A. Lorenzo  
Mark L. Pomeranz  
Darren Sherman

Filed: December 17, 2003

For: Activatable Bioactive Implantable Medical Device And Method Of Use

Express Mail Certificate

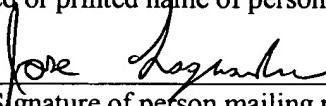
"Express Mail" mailing number: EI465909082US

Date of Deposit: December 17, 2003

I hereby certify that this complete application, including specification pages, claims, Declaration and Power of Attorney, Assignment and formal drawings are being deposited with the United Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

Jose Laguardia

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Typed or printed name of person mailing paper or fee)

  
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(Signature of person mailing paper or fee)